In the Honble High Court of Chhatishgarh at Bilaspur (C.G.)

W.P. No.....3253.....2006 SINGLE BENCH

Petitioner ... Tilakram Jaiswal aged 45 years
Son of Shri Jhagguram Jaiswal,
Assistant Teacher, Primary School
Jharar gota, Block Mohala,
District Rajnandgaon (C.G.)

P.R. No. 3307/06
Presented by Shri S.K. Verma
dated 31/7/06

Versus

Respondents. .....1. The State Government of Chhattishgarh,
Through the Secretary,
Tribal & Welfare, Department,
D.K.S.Bhavan, Raipur (C.G.)
2. Principal.
Government High School, Dangarh,
Block Mohala, District Rajnandgaon.
3. Joint Director,
Treasury & Accounts, Pagariya Building,
Raipur (C.G.)

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31/7/06

Writ Petition under Articles 226/227 of the Constitution of India For the issuance of writ in the nature of mandamus certiorari, prohibition and for other suitable writ or writs, order or orders direction or directions

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

5.7.2006

Heard Shri R.S. Shrivastava counsel for the petitioner.

Miss Dipali Pandey, Panel Lawyer for the State/respondents, on advance copy.

The main grievance raised by the petitioner in this writ petition is that two advance grade increments were granted to his wife late Smt. Sarswati Jaiswal who was working as Assistant Teacher under respondent No.2. These two advance grade increments were granted to the wife of petitioner on the ground that she has acquired qualification of Teachers' Training Certificate. However, respondents recovered that amount from the wife of the petitioner on the ground that the said amount was not payable to her, and the said amount was already recovered up to 10-11-2004.

Learned counsel for the petitioner submitted that the said amount was illegally recovered from the dues from the wife of the petitioner, therefore, respondents be directed to refund an amount of Rs.48,246/- with 18% interest. Learned counsel further submitted that the petitioner has already made a representation and copy of same is Annexure-P/3, and that is not being decided by the respondents.

Having heard learned counsel for the parties, without expressing any opinion on the merit of the case and also on the maintainability of this writ petition, respondents are directed to decide representation of the petitioner within a period of 3 months from today, in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Bajpai